

Agent's Docket N. 27039/AS/H

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OFFICIAL

Milan, January 25, 2005

Albert JOSIF (Reg. No. 22317)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: )  
Applicant: RONCAGLIA Graziano )  
Ser. No.: 10/698,512 ) Group Art Unit: 3724  
Filed: 11/03/2003. ) Examiner: PAYER, HWEI-SIU CHOU  
For: TOOL DEVICE FOR ROTARY KNIVES )

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450 USA

Sir,

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136

The applicant herewith petitions the Commissioner of Patents and Trademarks to extend the time for response to the Office action dated September 16, 2004 for two months from December 16, 2004 to January 16, 2005. Please charge the deposit account number 13-3860 of applicant's agent of record, in the amount of US\$ 225.00 (fee code 2252) to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to the above numbered deposit account.

AMENDMENT

In response to the Office Action dated September 16, 2004, Applicant submits the following Amendment for entry in the above-identified patent application:

02/02/2005 EINHORN 00000004 133860 10698512

01 FC:2252 16:41:23 25:02:00

P.1 NR.546

WF EE

Application/Control Number : 10/698,512  
 Art Unit: 3724  
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Remarks

*Status of the Claims*

Prior to this amendment, claims 1-14 were pending in the application. In order to overcome the Examiner's objections, a new set of claims is hereby submitted. While drafting the new claims, care has been taken not to introduce new matter.

More in detail, to further the prosecution of the present application, claim 1 has been amended, claim 2 has been canceled, claims 3, 4, 5, 6 and 10 have been made dependent on claim 1. Finally, a new independent claim (claim 15) has been introduced.

*Rejections under 35 U.S.C. § 102(b) and 35 U.S.C. 103(a)*

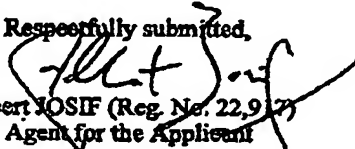
The Examiner rejected claims 1 and 12 under 35 U.S.C. 102(b) as being anticipated by Whited et al., while claim 13 was rejected under 35 U.S.C. 103(a) as being unpatentable over Whited et al. in view of Steinheimer.

On the other hand, Applicant appreciates that Claims 2-11 and 14 were objected to as being dependent upon a rejected base claim, but that they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Therefore, to better distinguish the invention from the prior art and in accordance with the Examiner's indications, claim 1 has been amended to include all the features originally recited in claim 2. Moreover, new independent claim 15 has been introduced, which claim includes all the limitations of original claims 1, 13 and 14.

It will be noted that a sincere effort has been made to positively respond to all of the points raised by the Examiner. The new claims are therefore believed to be in an allowable condition and a notice to this effect is respectfully solicited.

Respectfully submitted,

  
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 Agent for the Applicant

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